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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,296	12/21/2001	Bjorn Dahlback	INL-054DV	4472

21323 7590 07/28/2005

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EXAMINER

SAUNDERS, DAVID A

ART UNIT PAPER NUMBER

1644

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Amendment of 4/19/05 has been entered. Claims 20-22, 31, 35-42, 44-45 and 50-79 are pending and under consideration.

The amendment has overcome all objections and rejections of record, except for the following 112, first paragraph, new matter rejection.

Claims 50-51 and 70 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Each claim contains new matter by virtue of reciting "nitrocellulose, and nylon".

The examiner concurs that these members were not modified by the term "cross-linked" at page 13, line 31. It is however clear that both the nitrocellulose and nylon were described at page 13, line 31 as "webs". Applicant's urgings that webs are merely exemplary of various structures that can be made of nitrocellulose or nylon may pertain to what one of skill might have found obvious from a knowledgeable interpretation of the disclosure; however, obviousness does not provide the basis of descriptive support. *Lockwood v. American airlines* 41 USPQ2d. 1961.

Applicant wrote what he wrote in the original disclosure and cannot enter obvious variants thereof, without creating new subgenuses of the carrier/matrix.

Applicant's urgings filed on 4/19/05 have been considered but are unconvincing.

The amendment of 4/19/05 has necessitated the following new grounds of objection:

Claims 77 and 78 are objected to under 37 CFR 1.75 as being a substantial duplicate of claims 60 and 21, respectively. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

The term "matrix" in claims 77 and 78 is equivalent to the term "carrier" in claims 60 and 21. This issue has already been visited (see action mailed 1/19/05, page 3, last para.).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A. Saunders, PhD whose telephone number is 571-272-0849. The examiner can normally be reached on Monday-Thursday from 8:00a.m - 5:30 pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on 571-272-0841. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Saunders/tgd
July 6, 2005

David A. Saunders
DAVID SAUNDERS
PRIMARY EXAMINER
ART UNIT ~~102~~ 1644